

**To:** Benjamin A. Costa([trademark@rcjlawgroup.com](mailto:trademark@rcjlawgroup.com))  
**Subject:** U.S. Trademark Application Serial No. 90882382 - ORB  
**Sent:** January 05, 2023 03:56:32 PM EST  
**Sent As:** [tmng.notices@uspto.gov](mailto:tmng.notices@uspto.gov)

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**Attachments**

**United States Patent and Trademark Office (USPTO)**  
**Office Action (Official Letter) About Applicant's Trademark Application**

**U.S. Application Serial No.** 90882382

**Mark:** ORB

**Correspondence Address:**

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Covina CA 91723 UNITED STATES

**Applicant:** Tools For Humanity Corporation

**Reference/Docket No.** N/A

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**NONFINAL OFFICE ACTION**

**Response deadline.** File a response to this nonfinal Office action within three months of the “Issue date” below to avoid [abandonment](#) of the application. Review the Office action and respond using one of the links to the appropriate electronic forms in the “How to respond” section below.

**Request an extension.** For a fee, applicant may [request one three-month extension](#) of the response deadline prior to filing a response. The request must be filed within three months of the “Issue date” below. If the extension request is granted, the USPTO must receive applicant’s response to this letter within six months of the “Issue date” to avoid abandonment of the application.

**Issue date:** January 5, 2023

This Office action is supplemental to and supersedes the previous Office action issued on May 24, 2022 in connection with this application. The assigned trademark examining attorney wishes to correct the record by addressing the issue(s) inadvertently omitted from the previous Office action. *See* TMEP §§706, 711.02. The trademark examining attorney apologizes for any inconvenience caused by the delay in raising this issue(s).

The following issue(s) raised in the previous Office action have been satisfied: the applicant has provided an explanation of the mark's significance and provided additional information regarding the applicant's goods. *See* TMEP §713.02.

SUMMARY OF ISSUES that applicant must address:

- New issue: Identification of Goods

## IDENTIFICATION OF GOODS

In the previous office action the applicant was made aware of indefinite language in the identification. However, there was other indefinite language in the identification that must be clarified. Specifically the applicant must clarify the wording related to "optical apparatus and instrumentation" to specify the specific nature of the goods. It is not clear what specific goods the applicant is offering.

The applicant may adopt the following wording, if accurate: (Suggested additions in **Bold**)

International Class 09: Computers, electronic computer hardware, and identity-verifying electronic devices for user identity authentication and verification; Computers, electronic computer hardware, and identity-verifying electronic devices for user identity authentication and verification for purposes of uniqueness verification and identity verification; Identification equipment for individuals, namely, optical apparatus and instrumentation **in the nature of {Specify specific goods the applicant is offering. Ex. optical readers}** for recording and processing sound, images, and data; Identification equipment for individuals, namely, optical apparatus and instrumentation **in the nature of {Specify specific goods the applicant is offering. Ex. Optical readers}** for recording and processing sound, images, and data for purposes of uniqueness verification and identity verification

Applicant may amend the identification to clarify or limit the goods and/or services, but not to broaden or expand the goods and/or services beyond those in the original application or as acceptably amended. *See* 37 C.F.R. §2.71(a); TMEP §1402.06. Generally, any deleted goods and/or services may not later be reinserted. *See* TMEP §1402.07(e).

For assistance with identifying and classifying goods and services in trademark applications, please see the USPTO's online searchable [U.S. Acceptable Identification of Goods and Services Manual](#). *See* TMEP §1402.04.

## Response Guidelines

Please call or email the assigned trademark examining attorney with questions about this Office action. Although an examining attorney cannot provide legal advice, the examining attorney can provide additional explanation about the refusal(s) and/or requirement(s) in this Office action. *See* TMEP §§705.02, 709.06.

The USPTO does not accept emails as responses to Office actions; however, emails can be used for informal communications and are included in the application record. *See* 37 C.F.R. §§2.62(c), 2.191; TMEP §§304.01-.02, 709.04-.05.

**How to respond.** File a [response form to this nonfinal Office action](#) or file a [request form for an](#)

[extension of time to file a response.](#)

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## RESPONSE GUIDANCE

- **Missing the deadline for responding to this letter will cause the application to [abandon](#).** A response or extension request must be received by the USPTO before 11:59 p.m. **Eastern Time** of the last day of the response deadline. Trademark Electronic Application System (TEAS) [system availability](#) could affect an applicant's ability to timely respond. For help resolving technical issues with TEAS, email [TEAS@uspto.gov](mailto:TEAS@uspto.gov).
- **[Responses signed by an unauthorized party](#)** are not accepted and can **cause the application to [abandon](#)**. If applicant does not have an attorney, the response must be signed by the individual applicant, all joint applicants, or someone with [legal authority to bind a juristic applicant](#). If applicant has an attorney, the response must be signed by the attorney.
- If needed, **find [contact information for the supervisor](#)** of the office or unit listed in the signature block.

## United States Patent and Trademark Office (USPTO)

### USPTO OFFICIAL NOTICE

Office Action (Official Letter) has issued  
on January 5, 2023 for  
**U.S. Trademark Application Serial No. 90882382**

A USPTO examining attorney has reviewed your trademark application and issued an Office action. You must respond to this Office action to avoid your application abandoning. Follow the steps below.

- (1) **[Read the Office action](#)**. This email is NOT the Office action.
- (2) **Respond to the Office action by the deadline** using the Trademark Electronic Application System (TEAS). Your response, or extension request, must be received by the USPTO on or before 11:59 p.m. **Eastern Time** of the last day of the response deadline. Otherwise, your application will be [abandoned](#). See the Office action itself regarding how to respond.
- (3) **Direct general questions** about using USPTO electronic forms, the USPTO [website](#), the application process, the status of your application, and whether there are outstanding deadlines to the [Trademark Assistance Center \(TAC\)](#).

After reading the Office action, address any question(s) regarding the specific content to the USPTO examining attorney identified in the Office action.

### GENERAL GUIDANCE

- **[Check the status](#) of your application periodically** in the [Trademark Status & Document Retrieval \(TSDR\)](#) database to avoid missing critical deadlines.
- **[Update your correspondence email address](#)** to ensure you receive important USPTO notices about your application.
- **[Beware of trademark-related scams](#)**. Protect yourself from people and companies that may try to take financial advantage of you. Private companies may call you and pretend to be the USPTO or may send you communications that resemble official USPTO documents to trick you. We will never request your credit card number or social security number over the phone. Verify the correspondence originated from us by using your serial number in our database, [TSDR](#), to confirm that it appears under the “Documents” tab, or contact the [Trademark Assistance Center](#).
- **[Hiring a U.S.-licensed attorney](#)**. If you do not have an attorney and are not required to

have one under the trademark rules, we encourage you to hire a U.S.-licensed attorney specializing in trademark law to help guide you through the registration process. The USPTO examining attorney is not your attorney and cannot give you legal advice, but rather works for and represents the USPTO in trademark matters.